

LAND BANK DEED

BK 837PG677

MARTHA'S VINEYARD LAND BANK FEE

☐ PAID \$☒ EXEMPT \$033253
NO.4/14/01
DATE

CERTIFICATION

QUITCLAIM DEED

WE, ELMER H. SILVA, CLARA SILVA RABBIT, ROBERT J. SILVA and
WALTER R. SILVA, of Chilmark, Massachusetts

for consideration of THREE MILLION FIFTY THOUSAND AND
NO/100 (\$3,050,000.00) dollars

grant to the MARTHA'S VINEYARD LAND BANK COMMISSION, a
corporate body politic with a principal place of business
at 167 Main Street, Edgartown, Massachusetts 02539

with quitclaim covenants

Those three (3) certain parcels of land with the
buildings and improvements thereon located in Chilmark,
County of Dukes County, Massachusetts and bounded as
follows:

First Parcel. Beginning at the Westerly side of "Tea
Lane" Road so called, and the Northerly side of the Middle
County Road; thence running Westerly by said Middle County
Road to the "Shed Lots" so called, thence Northerly and
Westerly by said "Shed Lots" to the "Church Lot" so called;
thence Northwesterly by said "Church Lot" to land of the
heirs of William C. West; thence by said land of the heirs
of William C. West to land of the heirs of Franklin
Hammett; thence Easterly by said land of the heirs of
Franklin Hammett to said Tea Lane Road; thence Southerly by
said "Tea Lane" Road to the point of beginning. Said First
Parcel is shown as Lot 1 on a plan entitled "Plan of Land
in Chilmark, Mass. Surveyed for The Heirs of Virginia
Silva May 18, 2001 Scale 1" = 60'... Vineyard Land
Surveying, Inc. P.O. Box 421 West Tisbury, MA 02575" which
plan is recorded with the Dukes County Registry of Deeds as
Chilmark Case File No. 341 (the "Plan").

Second Parcel. Beginning at the Easterly side of "Tea
Lane" Road and the Northerly side of the Middle County
Road; thence running Northerly by said "Tea Lane" Road to
land now or formerly of Horace A. Tilton; thence
Southeasterly by said last-mentioned land to the Middle
County Road; thence by said Middle County Road to the point
or place of beginning.

Property Address: Middle Road and Tea Lane, Chilmark, MA 02535

BK837PG678

Third Parcel. Beginning at the Middle County Road and land now or formerly of Horace A. Tilton; thence Southwesterly by said last-mentioned land to land of the heirs of William C. West; thence by said land of the heirs of William C. West Westerly and Northerly to said Middle County Road; thence Easterly by said Middle County Road to the point or place of beginning.

Excepting and excluding therefrom the following property:

1. The property described in a Deed from Virginia Silva, Clara Rabbitt, Elmer H. Silva and Robert Silva to Walter R. Silva and Lucette E. Silva, dated December 10, 1955 and recorded in the Dukes County Registry of Deeds in Book 229, Page 514.
2. The property described in a Deed from Virginia Silva, Walter R. Silva, Robert J. Silva and Elmer F. Silva to Clara Silva Rabbitt, dated June 4, 1968, and recorded in the Dukes County Registry of Deeds in Book 272, Page 288.
3. The property described in a Deed from Virginia Silva, Walter R. Silva, Robert J. Silva, and Clara Silva Rabbitt to Elmer H. Silva dated June 4, 1968, and recorded in the Dukes County Registry of Deeds in Book 272, Page 289.
4. The property described in a Deed from Virginia Silva, Walter R. Silva, Robert J. Silva, Elmer H. Silva and Clara Silva Rabbitt to Aralado A. Cossutta and Thelma B. Cossutta dated November 26, 1968, and recorded in the Dukes County Registry of Deeds in Book 275, page 214.
5. The property described in a Deed from Virginia Silva, Robert J. Silva, Clara Silva Rabbitt and Elmer H. Silva to Walter R. Silva and Lucette E. Silva, dated October 27, 1992, and recorded in the Dukes County Registry of Deeds in Book 591, Page 461.

BK837PG679

6. The property described in a Deed from Robert J. Silva, Clara Silva Rabbitt, Elmer H. Silva and Walter R. Silva to the Town of Chilmark dated June 14, 2001 to be recorded herewith.

The grantors hereby convey all their right, title and interest in and to the "Shed Lots" so called, whether obtained by grant or prescription. As indicated on the Plan the Shed Lots have been fenced in and included within the First Parcel for a continuous period in excess of twenty (20) years.

The premises are conveyed subject to, and together with the benefit of, the following:

- (1) a non-exclusive, non-assignable, easement in gross, for the benefit of Robert J. Silva, which easement is hereby granted, to permit Robert J. Silva to use the above granted First Parcel, Second Parcel, Third Parcel and the Shed Lots, for farming and agricultural purposes so long as such use does not materially interfere with the use of said Lot 1 by the grantee hereunder,
- (2) an appurtenant easement for the benefit of Lot 2 as shown on the Plan, to install a well and/or septic system on said Lot 1, in a location on Lot 1 reasonably acceptable to the owner of said Lot 1, in the event that Robert J. Silva, as life tenant, or the Town of Chilmark is not able, due to applicable laws, regulations or water or soil conditions on the Premises, to install a well and/or septic system on Lot 2.

For grantors' title see Deed dated April 28, 1921 from Joseph E. Howes to Joseph Silva recorded in the Dukes County Registry of Deeds in Book 155, Page 140. See also, Estate of Joseph Silva (Dukes County Probate No. D6/2905) and Estate of Virginia Silva (Dukes County Probate Docket No. 93P0020).

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EXECUTED as a sealed instrument this 14th day of June,
2001.

Elmer H. Silva
Elmer H. Silva

Clara Silva Rabbit
Clara Silva Rabbit

Robert J. Silva
Robert J. Silva

Walter R. Silva
Walter R. Silva

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

June 14, 2001

Then personally appeared the above named Elmer H.
Silva and acknowledged the foregoing instrument to be his
free act and deed, before me,

Robert M. Miller
Notary Public

My commission expires: 1/19/07

BK837PG681

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

June 14, 2001

Then personally appeared the above named Clara Silva
Rabbit and acknowledged the foregoing instrument to be her
free act and deed, before me,

[Signature]
Notary Public

My commission expires: 3/3/2006

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

June 14, 2001

Then personally appeared the above named Robert J.
Silva and acknowledged the foregoing instrument to be his
free act and deed, before me,

[Signature]
Notary Public

My commission expires: 1/19/07

COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

June 14, 2001

Then personally appeared the above named Walter R.
Silva and acknowledged the foregoing instrument to be his
free act and deed, before me,

[Signature]
Notary Public

My commission expires: Nov. 20, 2003

N:\010\01\un\WRS silva deed.wpd

Edgartown, Mass. June 14, 2001
at 1 o'clock and 45 minutes P M
received and entered with Dukes County Deeds
book 837 page 677

Attest:

[Signature] Register